

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 16, 2007

The City Council convened in Regular Session on Tuesday, October 16, 2007, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Bob Kneemiller, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Larry Muench, Jerry Reese, Ron Stivison, and Richard Veit. Absent: Michael Weller. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46658

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by RICHARD VEIT to excuse the absence of Councilmember Michael Weller. DAVE BECKERING seconded the motion. All voted in favor, motion passed.

RESOLUTIONS/AWARDS/PROCLAMATIONS

Visitors from Ludwigsburg, Germany

Vice President of the Council Jerry Reese introduced Joe Daues, Jim Odell, and Carla Odell, Members of the St. Charles Sister Cities Program. Mr. Daues thanked the City for its assistance in the Student Exchange Program; and introduced students and teachers from Ludwigsburg who are participating in the Exchange Program sponsored by St. Charles Sister Cities Program.

Recognition of Recent Retiree James Turpiano (Police Department)

The City Council recognized the recent retirement of James Turpiano from the Police Department.

Presentation of Checks to Grant Recipients Loaves and Fishes and Sts. Joachim and Ann
Care Center

Presentation of checks was made to grant recipients Loaves and Fishes and Sts. Joachim and Ann Care Center; and brief presentations were given by each organization explaining the functions of the organization.

A Resolution Encouraging St. Charles County and Municipalities Within St. Charles County To Enact Legislation Relative to the Sale and Discharge of Fireworks *(Sponsors: Larry Muench, Laurie Feldman, Bob Kneemiller, Jerry Reese, Dave Beckering, Michael Klinghammer, and Ron Stivison)*

Councilmember Dave Beckering requested County Councilmembers Brazil, McCulloch, and White to reconsider their position on waiting one year to consider passing legislation similar to the ordinance recently passed by the City.

Passed “Aye”: Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Beckering

“Nay”: Ermeling

Absent: Weller

Approved by the Honorable Mayor on October 17, 2007, and is known as **Resolution R07-22**

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A Resolution Authorizing the Mayor and City Clerk to Execute an Application to be Filed with the U.S. Department of Homeland Security Concerning the Immigration and Nationality Act, Section 287(g) and Associated Programs of the Department of Homeland Security (*Sponsors: Bob Kneemiller, Jerry Reese, Larry Muench, and Laurie Feldman*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling

"Nay": None

Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Resolution R07-24**

A Resolution Authorizing a Public Works Department Water Division Truck Previously Declared as Surplus Property to be Donated to the City of Wood Heights, Missouri, and Authorizing the Mayor and City Clerk to Execute Such Documents to Transfer Title (*Sponsor: Bob Kneemiller*)

Passed "Aye": Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling, and Feldman

"Nay": None

Absent: Weller

Approved by the Honorable Mayor on October 17, 2007, and is known as **Resolution R07-23**

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9440 Relative to Rezoning of 1427, 1501, 1503, 1517, 1519, and 1525 North Fourth Street

Charlene Collins, 410 Wood, spoke in opposition to Council Bill 9440.

Tom LaBanca, 2024 Moore, spoke in favor of Council Bill 9440.

Susan Nitchman, 1310 North Third Street, spoke in opposition to Council Bill 9440; and presented a petition signed by 60 people in opposition to Council Bill 9440.

BILLS FOR FINAL PASSAGE

Bill 9440 (Held)

An Ordinance Rezoning to City Zoning District I-1 (Light Industrial District) from City Zoning R-1E (Single-Family Residential District), Property Located at 1427, 1501, 1503, 1517, 1519, and 1525 North Fourth Street (*Sponsor: Richard Veit*)

Council Bill 9440 was held by Sponsor Richard Veit.

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Bill 9465

An Ordinance Authorizing Acceptance for Ownership and Maintenance of a Storm Sewer Lift Station Which is Part of the Development of the Glazer's Site (*Sponsor: Michael Klinghammer*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling, Feldman, and Klinghammer
"Nay": None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-262**

Bill 9466

An Ordinance Amending Section 132.04 of the Code of Ordinances Pertaining to Interfering With Law Enforcement Officers (*Sponsor: Ron Stivison*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling, Feldman, and Klinghammer
"Nay": None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-263**

Bill 9467

An Ordinance Vacating a Portion of an Eight (8) Foot Public Utility Easement Being Part of Lot 412 of the New Town at St. Charles Plat One-G Located Along the Rear of the Property Adjacent to South Civic Circle Alley 2 (*Sponsor: Michael Klinghammer*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling, Feldman, and Klinghammer
"Nay": None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-264**

Bill 9468

An Ordinance Vacating Easement Strips Being Part of Lots C and 2459 of the New Town at St. Charles Plat Six Located Along the Interior Property Line of the Adjoining Properties (*Sponsor: Michael Klinghammer*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling, Feldman, and Klinghammer
"Nay": None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-265**

Bill 9469

An Ordinance Vacating Easement Strips Being Part of Lots D and 2636 of the New Town at St. Charles Plat Six Located Along Three Sides of Lot 2636 and Within the Southeast Corner of Lot D (*Sponsor: Michael Klinghammer*)

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Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer

“Nay”: None

Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-266**

Bill 9470

An Ordinance Vacating a Portion of Right of Way of Hiram Alley 6 Being Part of the New Town at St. Charles Plat Six Located at the Intersecting Property Lines of Lot 2636, Lot D and Hiram Alley 6 (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer

“Nay”: None

Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-267**

Bill 9471

An Ordinance Vacating a Three (3) Foot Easement Being Part of Lots 1902 Through 1907 of the New Town at St. Charles Plat One-A, Excluding the 22 Foot Portion of the Easement Along the South Side of Lot 1907 (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer

“Nay”: None

Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-268**

Bill 9472

An Ordinance Rezoning to City Zoning District C-1 (Neighborhood Business District) from City Zoning O-I (Office Institutional District), a Parcel of Land Located at 433 Jackson Street (*Sponsor: Larry Muench*)

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer

“Nay”: None

Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-269**

Bill 9473

An Ordinance Authorizing the Mayor and City Clerk to Execute and File the Consolidated Plan Action Plan 2008 with the U.S. Department of Housing and Urban Development for a Community Development Block Grant (Fiscal Year 2008) (*Sponsors: Bob Kneemiller, Larry Muench, Richard Veit*)

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Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer
“Nay”: None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-270**

Bill 9474

An Ordinance Amending Chapter 72 of the Code of Ordinances by Creating a New Section, Section 72.019, Establishing the Time for Operation of Flashing School Zone Lights (*Sponsor: Jerry Reese*)

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer
“Nay”: None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-271**

Bill 9475

An Ordinance Authorizing a Contract with Prairie Archway International Trucks for the Purchase of One (1) 2008 International 7400 SFA 6x4, 54,000 lb. G.V.W.R. Tandem-Axle Dump Truck with Dump Body, Salt Spreader and Snow Plow for the Street Division in an Amount Not to Exceed \$117,329.00 (*Sponsor: Bob Kneemiller*)

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer
“Nay”: None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-272**

Bill 9476

An Ordinance Authorizing a Contract with Lou Fusz Chevrolet for the Purchase of Three (3) 2008 Chevrolet Silverado CK20903, 3/4 Ton, 4x4 Regular Cab Pickup Trucks for the Street Division in an Amount Not to Exceed \$64,410.15 (*Sponsor: Bob Kneemiller*)

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer
“Nay”: None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-273**

Bill 9477

An Ordinance Authorizing a Contract with Fabick CAT for the Purchase of One (1) 2007 CAT M318D Wheeled Rubber Tire Excavator with Optional Smooth Bucket Attachment and Optional Rigid Arm Thumb Attachment for the Street Division in an Amount Not to Exceed \$175,164.00.00 (*Sponsor: Bob Kneemiller*)

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Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer
“Nay”: None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-274**

Bill 9478

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the North Fifth Street Corridor Improvements Project (Phase 1 is First Capitol Drive to Jefferson Street and Phase 2 is First Capitol Drive to Tompkins Street) is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsors: Richard Veit and Larry Muench*)

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer
“Nay”: None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-275**

Bill 9479

An Ordinance Authorizing an Engineering Services Contract with Crawford, Bunte, Brammeier to Provide Design and Construction Services for the Fifth Street Corridor Phase 2 Improvement Project – Tompkins Street to First Capitol Drive in an Amount Not to Exceed \$55,250.00 (*Sponsor: Larry Muench*)

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer
“Nay”: None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-276**

Bill 9480

An Ordinance Repealing Ordinance 06-337 and Authorizing Acceptance as Provisional Streets King Drive and Certain Unnamed Alleys in Forest Hills (*Sponsor: Jerry Reese*)

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer
“Nay”: None
Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-277**

Bill 9481

An Ordinance Repealing Ordinance 81-16 and Enacting a New Ordinance Amending Section 111.100 of the Code of Ordinances Pertaining to Cable Television Franchise Fees (*Sponsor: Larry Muench*)

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Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling,
Feldman, and Klinghammer

"Nay": None

Absent: Weller

Approved by the Honorable Mayor on October 18, 2007, and is known as **Ordinance 07-278**

Bill 9482 (Held)

An Ordinance Repealing Ordinance No. 07-148 and Enacting a New Ordinance
Authorizing an Agreement with Commerce Bank for the Establishment of a Bank Card
Account, Designating Persons Authorized for Use of this Account, and Designating the
Line of Credit Amount (*Sponsors: Bob Kneemiller and Jerry Reese*)

Council Bill 9482 was held by Sponsors Bob Kneemiller and Jerry Reese.

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9483

An Ordinance to Approve the Application with the Missouri Department of Conservation
for the Tree Resource Improvement and Maintenance (TRIM) Grant for the Period
September 1, 2007 Through June 1, 2008 and to Sign all Necessary Documents to Accept
and Receive Said Grant (*Sponsor: Laurie Feldman*)

Bill 9484

An Ordinance Amending Chapter 30 of the Code of Ordinances by Adding a New
Section to be Known as Section 30.10 Pertaining to the Number of Votes Required to
Adopt an Ordinance, Resolution or Motion (*Sponsors: Bob Kneemiller, Laurie
Feldman, Michael Klinghammer, and Michael Weller*)

Bill 9485

An Ordinance Amending Sections 40.18, 40.19, 40.30, 40.42 and 40.43 of the Code of
Ordinances Relating to Competitive Bidding Requirements and the Process for Awarding
Contracts; to Prohibit the Splitting or Dividing of Contracts; and to alter the Selection
Process and the Request for Bids (*Sponsors: Bob Kneemiller*)

Bill 9486

An Ordinance Authorizing a Right-of-Way Encroachment License Agreement with the
Schilling Company, LLC for the Construction and Maintenance of a Security Fence
Located at the Quilogy Building, 117 South Main Street (*Sponsor: Larry Muench*)

Bill 9487

An Ordinance Approving a Settlement Agreement with Verizon Wireless (*Sponsor: Bob
Kneemiller*)

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Bill 9488

An Ordinance Authorizing a Contract with Thoele Construction for Snow Removal Services for the 2007-2008 Winter Season for the City of St. Charles in an Amount Not to Exceed \$70,000.00 (*Sponsor: Bob Kneemiller*)

A request was made that all Councilmembers be listed as sponsors of Council Bill 9488.

Bill 9489

An Ordinance Authorizing a Cooperation Agreement Between the City of St. Charles and the Metropolitan Park and Recreation District, d/b/a The Great Rivers Greenway District ("GRG") for the Construction and Maintenance of the Boschert Creek Greenway (*Sponsors: Laurie Feldman and Michael Klinghammer*)

Bill 9490

An Ordinance Authorizing an Engineering Services Contract with CDG Engineers, Architects and Planners, Inc. for the Design of a Storm Sewer System in the Finck Subdivision, Located East of Fifth Street and South of Reservoir Avenue, in an Amount Not to Exceed \$57,552.00 (*Sponsor: Larry Muench*)

Bill 9491

An Ordinance Amending Ordinance 06-123 to Increase the Funding Amount Authorized to Reimburse St. Charles County for Work Associated with the Clarence Drive Sanitary Sewer Project in the Amount of \$6,158.20, for a Total Contract Amount Not to Exceed \$31,568.20 (*Sponsor: Richard Veit*)

Bill 9492

An Ordinance Authorizing Acceptance for Public Maintenance 1,520 Linear Feet of an Existing 8-Inch Water Main Between Ehlmann Road and Lot #1 of Sandfort Creek Crossing (Grau Contracting), for the Purpose of Providing Water Service to the Trinity Metals Site Located on the West Side of Truman Boulevard (*Sponsor: Jerry Reese*)

Bill 9493

An Ordinance Authorizing an Affiliation Agreement Between the School District of the City of St. Charles Adult and Community Education and the City of St. Charles to Improve the Education and Training of Emergency Medical Technician Students (*Sponsor: Jerry Reese*)

Bill 9494

An Ordinance Authorizing Acceptance of Public Improvements at Charlestowne Plat 2 (Boschertown Road and Fox Hill Road) and Release of Security (*Sponsor: Michael Klinghammer*)

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CONSENT AGENDA

President of the Council Bob Kneemiller removed *Item 8.D.2 Authorization for the City to Negotiate an Engineering Service Contract with HDR Engineering, INC for Design of a Water Main Replacement on Second Street Between Clark Street and Tecumseh Street*, and *Item 8.D.3. Authorization for the City to Negotiate an Engineering Services Contract with HDR for the Design of the Sanitary Sewer Replacement on Houston and Waverly Streets* from the Consent Agenda. A motion was made by JERRY REESE to receive and approve the balance of the consent agenda. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Reese, Stivison, Veit, Beckering, Ermeling, Feldman, Klinghammer, and Kneemiller. "Nay": None. Absent: Muench and Weller. Motion passed.

- A. Approval of Council Minutes
 - 1. Public Hearing of October 2, 2007
File #46659
 - 2. Regular Council Meeting of October 2, 2007

- B. Receipt and/or Approval of Council Committee Reports
 - 1. Convention Center Oversight Committee Meeting of August 28, 2007
File #46489
 - 2. Joint Meeting of the City Council and the Board of Public Works of September 20, 2007
File #46514
 - 3. Technology Committee Meeting of October 2, 2007
File #46515
 - 4. Council Rule Review Committee of October 2, 2007
File #46594

- C. Receipt of Reports from Boards, Commissions or Committees
 - 1. Arts & Culture Commission Meeting of September 10, 2007
File #46434
 - 2. Economic Development Commission Meeting of September 6, 2007
File #46472
 - 3. Citizens with Disability Advisory Board Meeting of May 18, 2007
File #46546
 - 4. St. Charles Convention & Visitors Commission Meeting of July 26, 2007
File #46558
 - 5. St. Charles Convention & Visitors Commission Meeting of August 23, 2007
File #46558
 - 6. Veteran's Memorial Committee Meeting of September 10, 2007
File #46454
 - 7. Planning and Zoning Commission Meeting of August 27, 2007
File #46474

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8. Board of Public Works Meeting of September 13, 2007
File #46617
- D. Receipt of Reports of the Director of Administration
1. Approval of Liquor License Application for Gregory Seitz dba BP Amoco
Located at 1340 South Fifth Street
File #46463
2. Authorization for the City to Negotiate an Engineering Service Contract
with HDR Engineering, INC for Design of a Water Main Replacement on
Second Street Between Clark Street and Tecumseh Street **(Supplemental
RCA)**
- REMOVED FROM THE CONSENT AGENDA
3. Authorization for the City to Negotiate an Engineering Services Contract
with HDR for the Design of the Sanitary Sewer Replacement on Houston
and Waverly Streets **(Supplemental RCA)**
- REMOVED FROM THE CONSENT AGENDA
4. Notice of Emergency Purchase
File #46438
5. September 2007 Investment Report
File #46456
6. Approval of Home Improvement Loans
File #46606A
- E. Approval of Contracts and Easements from \$20,001 - \$50,000
1. Contract with Lou Fusz Chevrolet for the Purchase of Two Pickup Trucks
for the Department of Community Development in the Amount of
\$37,422.10
File #46660
2. First Renewal Contract with Arthur J. Gallaher for Brokerage Services for
Liability, Property, and Workers Compensation Insurance in an Amount
not to Exceed \$30,000
File #46661
- F. Preliminary Plats
None
- G. Miscellaneous
1. Report on Items Paid out of the Council Directives Account
File #46576
2. Report of Court Administrator of Monies Collected and Deposited During
the Month of September 2007
File #46462

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ITEMS REMOVED FROM THE CONSENT AGENDA

Item 8.D.2 Authorization for the City to Negotiate an Engineering Service Contract with HDR Engineering, INC for Design of a Water Main Replacement on Second Street Between Clark Street and Tecumseh Street

A motion was made by MICHAEL KLINGHAMMER to table *Item 8.D.2 Authorization for the City to Negotiate an Engineering Service Contract with HDR Engineering, INC for Design of a Water Main Replacement on Second Street Between Clark Street and Tecumseh Street* pending receipt of the score sheets. ERV ERMELING seconded the motion. All voted in favor, motion passed.

Item 8.D.3. Authorization for the City to Negotiate an Engineering Services Contract with HDR for the Design of the Sanitary Sewer Replacement on Houston and Waverly Streets

A motion was made by MICHAEL KLINGHAMMER to table *Item 8.D.3. Authorization for the City to Negotiate an Engineering Services Contract with HDR for the Design of the Sanitary Sewer Replacement on Houston and Waverly Streets* pending receipt of the score sheets. ERV ERMELING seconded the motion. All voted in favor, motion passed.

REPORT OF THE MAYOR

Announcement of "Best Tasting Water" Recognition

Mayor Patricia M. York requested that Director of Public Works Debra Aylsworth come forward to provide information relative to the "Best Tasting Water" Recognition. Ms. Aylsworth stated that won the "Best Tasting Water" contest conducted by the St. Charles Journal.

Transmittal of the Budget for Fiscal Year 2008

The Honorable Mayor Patricia M. York read a portion of the Mayor's Message included in the Proposed Budget for Fiscal Year 2008.
File #46662

Appointments to Boards and Commissions

A motion was made by LARRY MUENCH to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

North 94 Redevelopment and Revitalization Commission: Appointment of Trevor Acorn to fill the unexpired term of Dale Gondran ending April, 2008. Appointment of Mike Thoele to fill the unexpired term of Tim Babin ending April, 2009.

RICHARD VEIT seconded the motion. A roll call vote was taken, with the following results:
"Aye": Reese, Stivison, Veit, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, and Muench. "Nay": None. Absent: Weller. Motion passed.
File #46411

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Written and/or Verbal Messages from the Mayor

Haunted Horse Drawn Hayride: Mayor Patricia M. York announced that there will be Haunted Horse Drawn Hayrides on Main Street on Sunday, October 21, 2007.

Trick or Treat on Main Street: Mayor Patricia M. York announced that Main Street Merchants sponsor trick or treat on October 31, 2007, from 3:00 p.m. to 5:00 p.m.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Response to Items Brought Forward Under Report of the Mayor

There were no responses to items brought forward under Report of the Mayor.

Update on Elm Street Reconstruction Project

Councilmember Richard Veit gave an update on the Elm Street Reconstruction Project.

Announcement of Availability of "No Solicitation" Stickers

President of the Council Bob Kneemiller announced that "No Solicitation" Stickers for residents to place on their front door are available at City Hall in the Information Office and at the City Clerk's Office.

Announcement of Amendments Recommended to the Council Rules of Procedure by the Council Rule Review Committee

President of the Council Bob Kneemiller announced the proposed amendments to the Council Rules of Procedure recommended by the Council Rule Review Committee; and stated that the amendments will be on the Consent Agenda at the November 6, 2007, Regular Council Meeting for Council consideration. President of the Council Kneemiller requested that a paper copy of the revisions be forwarded to the Council in the Friday packet.

Discussion Relative to Oak Parc Berm

Vice President of the Council Jerry Reese withdrew this item from the agenda.

Written and/or Verbal Messages from the Councilmembers

Senior Citizen Advisory Commission: Councilmember Ron Stivison announced that the Senior Citizen Advisory Commission is hosting a Workshop on Medicare Part D on Wednesday, October 17, 2007, at the Criminal Justice Facility.

Veterans: Councilmember Ron Stivison announced that the veterans will host a ceremony on November 11, 2007, at 11:00 a.m. at Bishops Landing.

VFW: Councilmember Ron Stivison announced that a Revelry Breakfast will be held on November 11, 2007, from 6:00 a.m. to noon at the VFW Facility on Old Highway 94 South.

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Community Networking Meeting: Councilmember Richard Veit announced that the Community Council has resources for residents in crisis; and welcomes all volunteers.

St. Charles County Humane Society: Councilmember Laurie Feldman commended the St. Charles County Humane Society for its groundbreaking of their new facility.

Ward Three Trash Cans: Councilmember Laurie Feldman announced that there are 30 90 gallon trash cans available for Ward Three Residents by calling Ellen Gordon in the Administration Office prior to November 12, 2007.

TABLED BILLS

Case No. CU-22-06 Starbucks (Tri Architects). The applicant proposes to install a 1,650 square foot Coffee Shop with drive-thru facilities on 0.65 acre in the C-3, Highway Business, zoning district. The property is located on the east side of Muegge Road just south of Mexico Road (Cave Springs Crossing Shopping Center). (Ward 6) ***(Tabled at the June 19, 2007, Regular Council Meeting)***

No action was taken on CU-22-06.

APPROVAL OF CLOSED MINUTES

A motion was made by MICHAEL KLINGHAMMER to approve the following Closed Minutes:

- A. Council Work Session of August 14, 2007, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); and preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
- B. Regular Council Meeting of August 21, 2007, session relative to legal actions, causes of action, or litigation (RSMo 610.021.1), hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3), preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9) and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)
- C. Council Work Session of August 28, 2007, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2)
- D. Regular Council Meeting of September 4, 2007, relative to legal actions, causes of action, or litigation (RSMo 610.021.1)

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- E. Special Council Meeting of September 17, 2007, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)

DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Stivison, Veit, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, and Reese. "Nay": None. Absent: Weller. Motion passed.

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3) with the following results: "Aye": Veit, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison. "Nay": None. Absent: Weller. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 8:30 p.m.

November 6, 2007

Date Approved

Mary K. McCas

City Clerk

Bob Kneemiller

Bob Kneemiller, Presiding Officer